

PUBLIC NOTICE NO. MT-09-02
January 26, 2009

PURPOSE OF PUBLIC NOTICE

The purpose of this notice is to state the Department's intention to issue wastewater discharge permits to the facilities listed in this notice. These permits are issued by the Department under the authority of 75-5-402, Montana Code Annotated (MCA); the Administrative Rules of Montana (ARM) 17.30.1301 *et seq.*, Montana Pollutant Discharge Elimination System (MPDES); ARM 17.30.1001 *et seq.*, Montana Ground Water Pollution Control System (MGWPCS); and Sections 402 and 303 of the Federal Clean Water Act. The Water Protection Bureau has prepared draft permits for the facilities listed below. Copies of the draft permits, statements of basis, and environmental assessments are available upon request from the Water Protection Bureau or on the Department's website www.deq.mt.gov.

APPLICANT INFORMATION

APPLICANT:	City of Conrad 411 1/2 South Main Conrad, MT 59425
FACILITY NAME:	Conrad Wastewater Treatment Plant
FACILITY LOCATION:	1 Mile NE of Conrad off Old Shelby Road Conrad, Pondera County, MT 59925
RECEIVING WATER:	Outfall 001: Unnamed Tributary of the Dry Fork of the Marias River
PERMIT NUMBER:	MT0020079

The Department has made a tentative decision to modify the existing Montana Pollutant Discharge Elimination System (MPDES) permit issued to the City of Conrad for its domestic wastewater treatment plant. The Department is proposing to modify the existing MPDES permit by changing the location of Outfall 001 to a new location 48°12'16"N latitude, 111°55'09"W longitude.

In accordance with ARM 17.30.1365(4)(b), only those conditions to be modified may be reopened and subject to public comment. All other conditions of the existing permit remain in effect. Therefore, the Department is accepting comment on Part I.A. (Description of Discharge Points and Mixing Zone), and Part I.F.3 (Compliance Schedule – Relocation of Outfall 001) of the draft modified permit.

On September 21, 2000, a U.S. District Judge issued an order stating that until all necessary total maximum daily loads under Section 303(d) of the Clean Water Act are established for a particular water quality limited segment, the State is not to issue any new permits or increase permitted discharges under the MPDES program. The order was issued in the lawsuit Friends of the Wild Swan v. U.S. EPA, et. al., CA 97-35-M-DWM, District of Montana, Missoula Division. The Department finds that the issuance of this proposed permit does not conflict with the order because the permit does not authorize any new or increased discharge of pollutants.

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APPLICANT:	One Horse Acres, LLC 330 Martin Lane Florence, MT 59833
FACILITY NAME:	One Horse Estates Sewer System
FACILITY LOCATION:	SE ¼ of Section 15 and SW ¼ of Section 14, Township 10 N, Range 20 W, Ravalli County
RECEIVING WATER:	Outfall 001: Class I ground water
PERMIT NUMBER:	MTX000208

The applicant proposes to build a 70-single family home subdivision south of Florence. The subdivision will have an AdvanTex AX100 centralized wastewater treatment system designed to treat domestic-strength waste. Treated wastewater will be discharged through a sand mound to local ground water. A standard mixing zone for total nitrogen has been approved by the Department. A mixing zone for pathogens is not permitted. The permit contains effluent quality limits and monitoring requirements. The applicant will be required to install and monitor a ground water well at the down gradient boundary of the standard mixing zone.

PUBLIC COMMENT

Public comments are invited ANYTIME PRIOR TO CLOSE OF BUSINESS February 25, 2009. Comments may be directed to the DEQ Permitting & Compliance Division, Water Protection Bureau, PO Box 200901, Helena, MT 59620. All comments received or postmarked PRIOR TO

CLOSE OF BUSINESS February 25, 2009 will be considered in the formulation of final determinations to be imposed on the permits. If you wish to comment electronically, you may e-mail Barb Sharpe and Carol Bertke at WPBPublicNotices@mt.gov.

During the public comment period provided by the notice, the Department will accept requests for a public hearing. A request for a public hearing must be in writing and must state the nature of the issue proposed to be raised in the hearing (ARM 17.30.1373 and 17.30.1024).

The Department will respond to all substantive comments and issue a final decision within sixty days of this notice or as soon as possible thereafter. Additional information may be obtained upon request by calling (406) 444-3080 or by writing to the aforementioned address. The complete administrative record, including permit application and other pertinent information, is maintained at the Water Protection Bureau office in Helena and is available for review during business hours.

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